IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21515 of 2005

Between:

Gopalam Sivarama Krishna Rao, S/o Late Satyanarayana,
R/o. Bapatla, Guntur District.

..... PETITIONER

AND

1. Southern Power Distribution Company of Andhra Pradesh

Limited, Rep by its Chairman-cum-Managing Director,
2. The Assistant Divisional Engineer (Operation) Southern Power

Distribution Company,
3. The Assistant Engineer (Operation) Southern Power

Distribution Company,

.....RESPONDENTS

The Court made the following:

ORDER:

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Questioning the action of the respondents in not restoring the power supply to the petitioner's Saw Mill viz., Sri Sai Krishna Saw Mill, bearing Meter No.C-1263, situated at Revenue Ward No.14, Block No.1 in Baptla, Guntur District, the present writ petition has been filed.

The petitioner states that consequent upon the oral partition, the petitioner has been in possession and enjoyment of Sri Sai Krishna Saw Mill, which is in the name of Gopalam Venkateswararao, who is one of his brothers. The grievance of the petitioner is that due to family disputes arose in between him and his brother, and at the instance of his brother, respondents disconnected the power supply to the said Saw Mill. Even though he obtained orders from the Junior Civil Judge, Bapatla in I.A. No. 896 of 2004 in O.S.No.286 of 2004 for restoring the power supply to the Saw Mill, the respondents have not yet taken any steps for restoring the power supply.

Heard the learned counsel for the petitioner and the learned standing counsel appearing on behalf of the respondents.

As seen from the material available on record and having heard both sides, it seems that there is a dispute in between petitioner and his brother with regard to Saw Mill and the power supply was disconnected. The claim of the petitioner is that he has taken the Saw Mill from his brother out of his family partition and the learned Junior Civil Judge, Bapatla also directed the brother of the petitioner to restore the power supply. But the respondents have not taken any steps to restore the power supply. The learned counsel for the petitioner submits that now the petitioner is ready and willing to pay the reconnection charges and other dues if any payable to the respondents.

In view of the facts and circumstances of the case, I find that there is no impediment for the respondents to restore the power supply to the Saw Mill of the petitioner, and therefore, the writ petition deserves to be allowed.

Accordingly, the writ petition is allowed directing the respondents to restore the power supply to the saw mill of the petitioner provided the petitioner to pay the reconnection charges and other dues, if any, payable to the respondents within a period of two weeks from the date of receipt of a copy of this order. No costs.

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(K.C. BHANU, J)

Date: 06.10.2005

Ksn

This Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Justice Bilal Nazki , the Acting Chief Justice on this the 6th day of October,Two thousand and five.